

Message Text

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DRAFTED BY IO/UNP: LRHAGE; PWKRIEBEL:JPS

APPROVED BY IO:ROBLAKE

EUR - MR. ARMITAGE (DRAFT)

L/UNA - MR. MATHESON (DRAFT)

S/CCT - J. GATCH (SUB)

JUSTICE DEPT: MR. ROBINSON (SUB)

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R 042138Z FEB 75

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK

INFO AMEMBASSY MOSCOW

AMCONSUL LENINGRAD

C O N F I D E N T I A L STATE 025460

LIMDIS

E.O. 11652:GDS

TAGS:PFOR, ASEC, UR, US

SUBJECT: STEP-UP IN JDL ACTIVITIES

REF: USUN 253

1. DEPUTY ASSISTANT SECRETARY ARMITAGE CHAIRED MEETING WITH REPRESENTATIVES OF JUSTICE DEPARTMENT JANUARY 30 TO DISCUSS FEDERAL JURISDICTION IN CASES INVOLVING EXTREMIST GROUPS, WITH PARTICULAR REFERENCE TO OFFENSES INVOLVING SOVIET NATIONALS. JUSTICE OFFICER ROBINSON, CRIMINAL DIVISION, STATED JUSTICE IS KEENLY APPRECIATIVE OF THE SENSITIVITY OF THE PROBLEM RE SOVIET-US RELATIONS AND HE
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WAS UNSTINTING IN HIS WILLINGNESS TO PROVIDE THE FULLEST

MEASURE OF JUSTICE SUPPORT IN SOLVING IT. HE IS FULLY COGNIZANT OF THE NEED AT THIS TIME TO AFFORD BY DEPT OF JUSTICE ACTION EVERY ASSURANCE TO THE SOVIETS. TO THAT END MD JUSTICE WILL SEEK FEDERAL DISPOSITION UNDER THE ACT FOR PROTECTION OF FOREIGN OFFICIALS OR OTHER APPLICABLE LAW OF ATTACKS ON SOVIET PERSONNEL OR INTERESTS UNLESS OTHER DISPOSITION CLEARLY MORE EFFICACIOUS.

2. THE ARREST OF RUSSELL KELNER, PROCEEDINGS TO REVOKE MEIR KAHANE'S PROBATION, AND THE RECENT ARREST OF DANIEL SCHWARTZ AND ANOTHER FOR FIRE BOMBING IN LOS ANGELES ARE INDICATIVE OF THAT SUPPORT. WE ARE SATISFIED HERE THAT THE

CLIMATE FOR FAVORABLE JUSTICE DEPT RESPONSE TO YOUR CONCERNS IS THE BEST POSSIBLE. PLEASE ADVISE US OF ANY SPECIFIC VIOLATORS IN RECENT MONTHS AS TO WHOM YOU QUESTION THE DISPOSITION MADE. IN THAT CONNECTION JUSTICE ADVISES THAT THE NEW FEDERAL LAW AS TO JUVENILES MAKES LOCAL DISPOSITION VIRTUALLY MANDATORY AS A PRACTICAL MATTER. NONETHELESS, JUSTICE WILL CONTINUE TO USE ITS GOOD OFFICES TO ENCOURAGE LOCAL PROSECUTORS TO TAKE ALL APPROPRIATE MEASURES FOR ADEQUATE DISPOSITION OF SUCH JUVENILE OFFENDERS, AS WELL AS ADULT VIOLATORS FOR WHOM FEDERAL PROSECUTION IS NOT APPROPRIATE OR POSSIBLE.

3. ROBINSON ALSO NOTED THAT FEDERAL ASSUMPTION OF JURISDICTION DID NOT DEPEND ON WHETHER ARREST WAS MADE BY LOCAL OR FEDERAL OFFICIALS. BOOKING COULD BE MADE BY LOCAL LAW ENFORCEMENT OFFICERS AND FEDERAL OFFICIALS COULD THEN ACT TO ASSUME JURISDICTION.

4. THE JUSTICE REPRESENTATIVES STATED THEY UNDERSTOOD THE IMPLICATIONS FOR US-SOVIET RELATIONS STEMMING FROM HARRASSMENT OF SOVIET NATIONALS, INCLUDING VISITING SOVIET GROUPS, AND UNDERTOOK TO STAY IN CLOSE CONTACT WITH STATE AS TO THE APPROPRIATE ASSISTANCE JUSTICE DEPT COULD RENDER. KISSINGER

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